

**Blythe Police Department**  
Blythe Police Department Policy Manual

## **Military Equipment Use**

### **708.1 PURPOSE AND SCOPE**

The purpose of this policy is to provide guidelines for the approval, acquisition, use and reporting requirements of military equipment, as defined in Government Code § 7070, in accordance with Assembly Bill No. 481 of 2021 (codified at Government Code §§ 7070-7075).

#### **708.1.1 DEFINITIONS**

Definitions related to this policy include:

**Governing body** – means the elected or appointed body that oversees the Department.

**Military equipment** – has the meaning set forth in Government Code § 7070(c), as amended from time to time, and includes the following:

- (a) Unmanned, remotely piloted, powered aerial or ground vehicles.
- (b) Mine-resistant ambush-protected (MRAP) vehicles or armored personnel carriers.
- (c) High mobility multipurpose wheeled vehicles (HMMWV), commonly referred to as Humvees, two and one-half-ton trucks, five-ton trucks, or wheeled vehicles that have a breaching or entry apparatus attached.
- (d) Tracked armored vehicles that provide ballistic protection to their occupants and utilize a tracked system instead of wheels for forward motion.
- (e) Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units.
- (f) Weaponized aircraft, vessels, or vehicles of any kind.
- (g) Battering rams, slugs, and breaching apparatuses that are explosive in nature. Items designed to remove a lock, such as bolt cutters, or a handheld ram designed to be operated by one person, are specifically excluded.
- (h) Firearms of .50 caliber or greater, excluding standard issue shotguns.
- (i) Ammunition of .50 caliber or greater, excluding standard issue shotgun ammunition.

- (j) Specialized firearms and ammunition of less than .50 caliber, including assault weapons as defined in Sections 30510 and 30515 of the Penal Code, with the exception of standard issue service weapons and ammunition.
- (k) Any firearm or firearm accessory that is designed to launch explosive projectiles.
- (l) "Flashbang" grenades and explosive breaching tools, "tear gas," and "pepper balls," excluding standard, service-issued handheld pepper spray.
- (m) Taser Shockwave, microwave weapons, water cannons, and the Long Range Acoustic Device (LRAD).
- (n) The following projectile launch platforms and their associated munitions: 40mm projectile launchers, "bean bag," rubber bullet, and specialty impact munition (SIM) weapons.
- (o) Any other equipment as determined by a governing body or a state agency to require additional oversight.
- (p) Notwithstanding paragraphs (a) through (o), "military equipment" does not include general equipment not designated as prohibited or controlled by the federal Defense Logistics Agency.

## **708.2 POLICY**

It is the policy of the Blythe Police Department that members of this Department comply with the provisions of Government Code §§ 7071-7072 with respect to military equipment.

## **708.3 MILITARY EQUIPMENT COORDINATOR**

The Chief of Police or his/her designee shall be the military equipment coordinator. The responsibilities of the military equipment coordinator include, but are not limited to:

- (a) Acting as liaison to the governing body for matters related to the requirements of this policy.
- (b) Identifying Department equipment that qualifies as military equipment in the current possession of the Department, or the equipment the Department intends to acquire that requires approval by the governing body.
- (c) Conducting an inventory of all military equipment annually.
- (d) Collaborating with any allied agency that may use military equipment within the jurisdiction of Blythe Police Department (Government Code § 7071).

- (e) Preparing for, scheduling, and coordinating the annual community engagement meeting to include:
  - (i) Coordinating with the City Clerk's Office to publicize the details of the meeting.
  - (ii) Preparing for public questions regarding the Department's funding, acquisition, and use of equipment.
- (f) Preparing the annual military equipment report for submission to the governing body and ensuring that the report is made available on the Department's website (Government Code § 7072).
- (g) Establishing the procedure for a person to register a complaint or concern, or how that person may submit a question about the use of a type of military equipment, and how the Department will respond in a timely manner.

#### **708.4 MILITARY EQUIPMENT INVENTORY**

The following constitutes a list of qualifying equipment for the Department:

See Attachment A (Military Equipment List).

#### **708.5 APPROVAL**

The Chief of Police or his/her authorized designee shall obtain approval from the governing body by way of an ordinance adopting the military equipment policy. As part of the approval process, the Chief of Police or his/her authorized designee shall ensure the proposed military equipment policy is submitted to the governing body and is available on the Department's website at least 30 days prior to any public hearing concerning the military equipment at issue (Government Code § 7071). The military equipment policy must be approved by the governing body prior to engaging in any of the activities outlined in Government Code § 7071.

#### **708.6 COORDINATION WITH OTHER JURISDICTIONS**

As established through past practice and mutual aid agreements, any jurisdiction through contract, mutual aid agreement or request must accept the Department's policies and procedures governing the deployment of equipment utilized by Blythe Police Department employees. This is reciprocal to other law enforcement agencies.

Through the Association of Riverside County Chiefs of Police and Sheriff (ARCCOPS) mutual aid agreement, all cities within Riverside County have agreed to accept the use of each law enforcement agency's military equipment policy related to any enforcement action throughout Riverside County.

Military equipment used by any member of this Department shall be approved for use and in accordance with this Department policy. Military equipment used by other jurisdictions that are providing mutual aid to this jurisdiction shall comply with their respective military equipment use policies in rendering mutual aid. Situations may arise where the Blythe Police Department may deploy or use military equipment owned by other law enforcement agencies. The following constitutes a non-exhaustive list of such equipment the Blythe Police Department is authorized to deploy or use:

See Attachment B (Military Equipment List-Equipment Owned by Other Agencies).

The Blythe Police Department hereby adopts the military equipment use policy as is approved, and may be amended from time to time, under Government Code § 7070 et seq., for jurisdictions that the Blythe Police Department may engage with to provide mutual aid. This section is in no way a limitation to the ability of the Blythe Police Department to deploy or use the military equipment of another jurisdiction.

### **708.7 ANNUAL REPORT**

Upon approval of a military equipment policy, the Chief of Police or his/her authorized designee shall submit a military equipment report to the governing body for each type of military equipment approved within one year of approval, and annually thereafter for as long as the military equipment is available for use (Government Code § 7072).

The Chief of Police or his/her authorized designee shall also make each annual military equipment report publicly available on the Department website for as long as the military equipment is available for use. The report shall include all information required by Government Code § 7072 for the preceding calendar year for each type of military equipment in Department inventory.

### **708.8 COMMUNITY ENGAGEMENT**

Within 30 days of submitting and publicly releasing the annual report, the Department shall hold at least one well-publicized and conveniently located community engagement meeting, at which the Department should discuss the report and respond to public questions regarding the funding, acquisition, or use of military equipment.

### **708.9 COMPLIANCE PROCEDURE**

This procedure is to ensure compliance with the military equipment use policy. All complaints, concerns, or questions submitted regarding this policy will be handled pursuant to the Department's normal complaint process and be handled in a timely manner.

**ATTACHMENT A**  
**MILITARY EQUIPMENT LIST**

DRAFT

## MILITARY EQUIPMENT LIST

1. **Armored Vehicles:** Commercially produced wheeled armored personnel vehicle utilized for law enforcement purposes.
  - a. Description, quantity, and capabilities
    - (i) 2000 Dodge PeaceKeeper Armored Rescue truck on loan from the Law Enforcement Support Office (LESO) (formerly called the 1033 Program). Quantity not to exceed 1.
    - (ii) It is anticipated the Blythe Police Department will request approval to obtain a newer Armored Vehicle from LESO soon and return the 2000 Dodge PeaceKeeper once the new Armored Vehicle arrives.
    - (iii) The capabilities of these vehicles are similar to a 4x4 SUV and can protect occupants from handgun and rifle fire of a caliber typically found in the State of California and used against law enforcement. This vehicle provides safety for law enforcement personnel and victims being evacuated from dangerous situations.
  - b. Purpose

Used during high-risk tactical enforcement operations, officer rescues, and vehicle borne interventions. Additional deployments are used during criminal unrest and riots. Rescue vehicles provide ballistic safety during containment and apprehension of armed violent suspects.
  - c. Authorized Use

Only assigned operators who have completed the required training shall be permitted to operate the Armored Vehicles.
  - d. Expected Life Span

4 to 6 years.
  - e. Fiscal Impact; Cost

This Armored Vehicle was obtained from LESO at no cost to the general fund. Annual maintenance cost is approximately \$1,000.
  - f. Training:

In-house training is required to operate the Armored Vehicle.
  - g. Legal and Procedural Rules

This Armored Vehicle is utilized in accordance with the California Vehicle Code.
2. **Unmanned Aircraft System (UAS):** An unmanned aircraft along with the associated equipment necessary to control it remotely.
  - a. Description, quantity, and capabilities
    - (i) UAS systems are a field force multiplier that would be used to search for missing persons both on land and in water, and be used in crime scene photography, disaster management and public safety missions.
    - (ii) Quantity not to exceed 6.
  - b. Purpose

To be deployed when its view would assist officers or incident commanders with the following situations, which include but are not limited to:

    - (i) major collision investigations.
    - (ii) search for missing persons.

- (iii) natural disaster management.
- (iv) crime scene photography.
- (v) SWAT, tactical or other public safety and life preservation missions.
- (vi) in response to specific requests from local, state or federal fire authorities for fire response and/or prevention.
- c. Authorized Use  
Only assigned operators who have completed the required training shall be permitted to operate any UAS during approved missions.
- d. Expected Life Span  
Approximately 3 to 5 years.
- e. Fiscal Impact; Cost  
Total cost is approximately \$30,000. Annual maintenance and battery replacement cost is approximately \$5,000.
- f. Training  
All Department UAS operators are licensed by the Federal Aviation Administration for UAS operation. In addition, each operator must attend a 40-hour department training and ongoing quarterly training.
- g. Legal and Procedural Rules  
FAA Regulation 14 CFR Part 107. UAS will only be used for official law enforcement purposes, and in a manner that respects the privacy of our community, pursuant to state and federal law.

### **3. Firearms**

- a. Description, quantity, and capabilities
  - (i) Colt enhanced patrol semi-automatic rifles. Quantity not to exceed 35. Most have red dot optics and flashlights. 28 of these rifles are new and are being deployed in the next month. 4 of these rifles are still on order and function in a select fire and semi-automatic mode.
  - (ii) These rifles are capable of both long distance and close defensive fire and will only be used to preserve life.
  - (iii) 9mm short barrel, select fire rifles, in a quantity not to exceed 8.
- b. Purpose  
To be deployed by patrol officers in tactical or other public safety and life preservation missions.
- c. Authorized Use  
Only assigned peace officers who have completed the required training shall be permitted to deploy patrol rifles.
- d. Expected Life Span  
8 to 15 years.
- e. Fiscal Impact; Cost  
The Colt rifles were obtained with trade-in credit at no cost to the City's general fund. The 9mm rifles will be obtained with trade-in credit, other law enforcement donations or asset forfeiture funds and will have no cost to the City's general fund. Annual maintenance cost for all rifles is approximately \$2,500.

f. Training

All Department members assigned to deploy a patrol rifle in the course of duty shall have completed a 16-hour training course presented by POST-certified Range Instructors who are currently employed by the Blythe Police Department.

g. Legal and Procedural Rules

These rifles are considered assault rifles as defined per 30510 & 30515 of the California Penal Code and can only be purchased by active peace officers or law enforcement agencies. These rifles can only be deployed by trained peace officers.

**4. Pepper Ball Carbines**

a. Description, quantity, and capabilities

(i) Quantity not to exceed 4.

(ii) The capabilities of pepper ball guns are to provide a non-lethal force option to reduce the need for lethal force. The Blythe Police Department has no other non-lethal force options other than pepper spray and Tasers.

b. Purpose

Pepper Ball Carbines are one of our non-lethal options when stopping violent persons, dispersing large crowds and stopping attacks by uncontrolled animals.

c. Authorized Use

Only assigned peace officers who have completed the required training shall be permitted to operate Pepper Ball Carbines.

d. Expected Life Span

2 to 4 years.

e. Fiscal Impact; Cost

Approximate cost, with training, is \$5,000. Maintenance costs are approximately \$1,500 annually.

f. Training

Training on proper methods of deployment is provided to all peace officers employed by the Blythe Police Department.

g. Legal and Procedural Rules

Although no state laws restrict the use of Pepper Ball Carbines for police service, Department policies and proper methods of deployment are adhered to.



**ATTACHMENT B**

**MILITARY EQUIPMENT LIST-EQUIPMENT OWNED BY OTHER AGENCIES**

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## MILITARY EQUIPMENT LIST-EQUIPMENT OWNED BY OTHER AGENCIES

- **Unmanned, remotely piloted powered aerial or ground vehicles**
  - Search and locate reported missing children or at-risk adults
  - Search and rescue operations to locate lost or injured hikers
  - A law enforcement specific application involving Aerial drones are used for open terrain or large field searches as a force-multiplier to assist in high-risk apprehensions of armed or violent suspects. Aerial drones can be used as an interior search tool to locate suspects barricaded inside a residence or commercial structure.  
A tracked armored vehicle remotely piloted for use in explosive ordinance disposal
  - Unmanned robotics have numerous applications and are used instead of personnel in high-risk environments to increase safety for law enforcement
- **Mine Resistant Ambush Protected (MRAP) Vehicle**
  - The MRAP is a large ballistic armored rescue vehicle which can be used for a number of critical situations. It can be deployed for aid during search warrant services as well as rescue missions to include civilians, officers, and hostage situations with seating for 10 adults
  - The MRAP is primarily used in open desert areas; however, it can be used in any dangerous weather condition with the ability of extreme off-road capabilities. The
  - MRAP is also used for large parcel outdoor illegal marijuana grow enforcement.
  - The MRAP has 4X4 capability and able to transport or evacuate victims in a flood, fire or other natural disaster. Operation requires a Class "B" driver's license
- **Armored vehicles**
  - Inventory includes four (4) Lenco Ballistic Engineered Armored Response Counter-Attack Trucks (BEAR-CATS). The BEAR-CATS, or rescue vehicles, are primarily used during high-risk tactical enforcement operations, officer rescues, and vehicle borne interventions. Additional deployments are used during criminal unrest and riots. Rescue vehicles provide ballistic safety during containment and apprehension of armed violent suspects
  - Rescue vehicle for on-campus active shooter incidents to rescue injured victims
  - 4X4 capability to transport or evacuate victims in a flood, fire or other natural disaster
  - BOMB-CAT bullet resistant rescue vehicle provisioned with a front mounted water cannon. BOMB-CAT use is for tactical operations and explosive ordinance mitigation and fire suppression
  - Rescue vehicles provide numerous safety capabilities for law enforcement, victim rescues, and overall community safety

- **Vehicles with breaching or entry apparatus attachable**
  - BEAR-CAT vehicles have attachable metal booms that can be used for breaching structures, fences, or ramming objects during high-risk incidents, to include active shooter incidents on school grounds or buildings
  - TAC-CAT vehicles have a tracked bullet resistant caterpillar tractor driven and deployed during high-risk and tactical operations with various hydraulic boom attachments including claw, chemical agent dispersal box and ram extension
- **Non-handheld battering rams, slugs, and breaching apparatuses that are explosive in nature**
  - Explosive breaching tools
  - Avon frangible shotgun ammunition is used to breach doors and points of entry on fortified doors or structures. The rounds are used to impact door hinges, doorknobs and locks
- **Assault weapons defined under PC 30510 & PC 30515**
  - Inventory includes AR style rifles that function at full and semi-automatic capability (fully automatic rifles are only assigned to SWAT personnel)
  - Semi-automatic Benelli shotguns
  - Increased accuracy and precision at long range distances
  - Currently used by most law enforcement agencies across the nation
- **Flashbang grenades**
  - Light Sound Diversionary Device (LSDD-“Flashbangs”) are used to minimize risk to all parties through the temporary distraction or disorientation of armed and violent suspects that pose significant danger to the deputies and community. The effects of the LSDD reduce a suspect’s reactionary capabilities and allow for momentary disorientation which creates a tactical advantage. LSDD is a hand delivered device and generally deployed on the exterior of structures
  - Provides a humane fright to aggressive dogs that pose a threat to deputies
  - Explosive breaching tools are used to breach fortified structures to establish a point of entry. Explosive charges are fashioned to produce little to no fragmentation at the time of detonation. Explosive breaching effectively reduces the time spent overcoming a fortified door or structure. The reduction in time mitigating a hardened structure increases officer safety and the element of surprise. Blast injuries are reduced by using low yield explosives that mechanically overcome door frames and locking mechanisms. Explosive breaching mandates extensive schooling and certification processes
- **Tear gas**
  - Chemical agents are deployed through various means to include hand delivery and weapon launchable, such as pepper ball. Munitions are either 37mm or 40mm caliber, shotgun ferret rounds or cannister shotgun launched ordinance. Hand delivered chemical agents are placed in metal burn boxes to reduce fire hazards

- **Water cannon**
  - The BOMB-CAT bullet resistant rescue vehicle is provisioned with a front mounted water cannon. BOMB-CAT use is for tactical operations, explosive ordinance mitigation and fire suppression
- **Long Range Acoustic Device (LRAD)**
  - LRAD is an acoustic hailing device used for emitting amplified public announcements during search warrant services, barricaded suspects, or tactical operations. The loud audible technology ensures broadcasted announcements are loud and clear while offering advantages over less amplified patrol car PA systems. The LRAD can also be used for public announcements or safety advisements during natural disasters or evacuations
  - The larger LRAD 1000 system is portable and can be used for criminal unrest and rioting to provide clear dispersal orders for unlawful assembly
- **Command and control vehicles built or modified to facilitate the operational control and direction of public safety units**
  - Command vehicles are built in various platforms to include ½ ton pickup chassis, vans, trailers, and RV style configurations. Vehicles are built to better assist in command and control during law enforcement operations, natural disasters, and public safety issues. Vehicles are designed with additional communication abilities, computers, white boards, lighting, generators, and mission essential supplies
- **40mm projectile launchers**
  - Less lethal 40mm launchers and rubber projectile munitions are configured for high and low energy impact. Munitions have the additional benefit as a barrier round for breaking vehicle and residential glass so that chemical munitions can be deployed. 40mm less lethal has been effective in disarming violent suspects, armed suspects, and subjects who are suicidal with minimal injury and risk to the person, law enforcement or the public
- **Bean bag launchers**
  - Less lethal bean bags are utilized through a marked/orange colored easily identifiable less lethal shotgun. The bean bag round is a small led pellet filled munition made of high-density cloth. The bean bag is the predecessor to 40mm less lethal having similar benefits as other less lethal platforms
- **Rubber projectile launchers**
  - Sting ball grenade launches .38 caliber rubber projectiles and are hand delivered. Generalized use in a tactical operation is infrequent in use and deployment. Search warrants, violent combative subjects, or hostage rescue scenarios are criteria for consideration and use against suspects. Sting balls have a greater application in a Jail Corrections Environment.
  - 40mm and 37 mm launchers capable of deploying rubber projectile munitions. An effective less lethal tool used routinely with success

## Quantities

Type of Equipment	Quantity
Unmanned, remotely piloted, powered aerial or ground vehicles	49
Mine-resistant ambush-protected (MRAP) vehicles or armored personnel carriers	5
Tracked armored vehicles that provide ballistic protection to their occupants and utilize a tracked system instead of wheels for forward motion	1
Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units	6
Weaponized aircraft, vessels, or vehicles of any kind	0
Battering rams, slugs, and breaching apparatuses that are explosive in nature (items designed to remove a lock, such as bolt cutters, or a handheld ram designed to be operated by one person, are specifically excluded)	7
Firearms of .50 caliber or greater (standard issue shotguns are specifically excluded)	1
Ammunition of .50 caliber or greater (standard issue shotgun ammunition is specifically excluded)	300
Specialized firearms and ammunition of less than .50 caliber, including assault weapons as defined in Sections 30510 and 30515 of the Penal Code (except for standard issue service weapons and ammunition of less than .50 caliber)	95
Any firearm or firearm accessory that is designed to launch explosive projectiles	0
“Flashbang” grenades and explosive breaching tools, “tear gas,” and “pepper balls” (excluding standard, service-issued handheld pepper spray)	157
Taser Shockwave, microwave weapons, water cannons, and the Long-Range Acoustic Device (LRAD)	3
The following projectile launch platforms and their associated munitions: 40mm projectile launchers, “bean bag,” rubber bullet, and specialty impact munition (SIM) weapons	62/41104
Any other equipment as determined by a governing body or a state agency to require additional oversight	0